

REMARKS

This application has been reviewed in light of the Office Action dated February 6, 2006. Claims 14-16, 19, 21, 22, 27 and 71-77 are presented for examination, of which Claims 14, 27, 72 and 75-77 are independent form. Claims 14-16, 19, 21, 22, 24 and 27 have been amended to define still more clearly what Applicants regard as their invention. Claims 71-77 have been added to provide Applicants with a more complete scope of protection. Claims 1, 17, 20, 23-26, 40 and 53-70 have been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. The specification has been amended to conform the Summary section to the present claim language. Favorable reconsideration is requested.

Initially, it is noted that an additional Information Disclosure Statement and a corresponding Form PTO-1449 were filed on January 26, 2006, and are present in the PAIR system. Applicants respectfully request the Examiner to return an initialed copy of that Form PTO-1449, indicating the references cited therein were considered.

In the outstanding Office Action, Claims 1, 14-16, 20-23, 25, 27, 40, 54-56, 59, 62, 66-67 and 69 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,691,979 (Cadd et al.), and Claims 17, 19, 24, 26, 53, 57-58, 60, 61, 63-65, 68 and 70 were rejected under 35 U.S.C. § 103(a) as being obvious from *Cadd*.

Independent Claim 14 is directed to a radio communication apparatus that comprises means for requesting, from a first communication apparatus, an assignment of group identification information to manage a group formed from a part of communication apparatuses in a communication system, and means for inquiring of a second communication apparatus whether the latter apparatus participates in group communication

using the group identification information assigned by the first communication apparatus in response to the request by the requesting means. Also provided are communicating means for performing the group communication in the group with the second communication apparatus on the basis of the group identification information, in accordance with a response from the second communication apparatus in response to the inquiry by the inquiring means.

Among other notable features of an apparatus according to Claim 14, is that the apparatus requests group identification information from a first communication apparatus, inquires of second communication apparatus about participation in group communication using the requested group identification information, and performs the group communication with the second communication apparatus. By virtue of this, group communication can be dynamically performed with an arbitrary number of radio communication apparatus

This set of features is supported by, for example, Figs. 4-7 and the description at page 10, line 16, to page 14, line 5, of the original specification. For example, with reference to Fig. 7, the requesting is described at page 10, lines 20-25, the inquiry is described at page 11, lines 18-25, and the group communication is described at page 13, lines 8-10.^{1/}

Cadd relates to group communication in which predefined talk groups 13 (see Fig. 1) use a protocol in which there are provided ACK channels 101, connect channels 103 and voice/communication channels 105 (see Fig. 2), and which supports slow

^{1/} It is of course to be understood that the claim scope is not limited by the details of this or any other particular embodiment that may be referred to.

frequency hopping. The talk groups 13 are each assigned a unique ID, and the members of the group use the protocol for communication among themselves. When the talk group is configured (defined), the group as mentioned is given a unique ID, and chooses an ACK channel (col. 2, lines 40-43). A member station uses the group ID to initiate communication. Applicants submit that nothing has been found in *Cadd* that would teach or suggest that the communication apparatus requests group identification information, as is recited in Claim 14, much less that after such request it makes an inquiry of a second apparatus about participating in group communication and then communicates, as recited in that claim. It is therefore deemed clear that Claim 14 is allowable over *Cadd*.

Independent Claim 72 is directed to a radio communication apparatus that comprises a requesting unit, adapted to request, from a first communication apparatus, an assignment of group identification information to manage a group formed from a part of communication apparatuses in a communication system. The apparatus also comprises an inquiring unit, adapted to inquire of a second communication apparatus whether the second communication apparatus participates in group communication using the group identification information assigned by the first communication apparatus in response to the request by the requesting unit, and an informing unit, adapted to inform the second communication apparatus of the group identification information, in accordance with a response from the second communication apparatus.

Among other notable features of an apparatus according to Claim 72, therefore, is that the apparatus requests group identification information from a first communication apparatus, inquires of second communication apparatus as to participation to group communication using the requested group identification information; and informs

the second communication apparatus which has been respond to the inquiry of the group identification information.

This feature is also supported by, for example, Figs. 4-7 and the description at page 10, line 16, to page 14, line 5, of the original specification. particularly, with reference to Fig. 7, the requesting is described at page 10, lines 20-25, the inquiry is described at page 11, lines 18-25, and the informing is described at page 13, lines 3-7.

By virtue of these features of the apparatus of Claim 72, group communication can be dynamically performed with an arbitrary number of radio communication apparatuses.

In contrast, even if *Cadd* is deemed to disclose that each talk group 13 is identified by a unique ID which is chosen at the time of configuration, nothing has been found in that patent that would teach or suggest that a communication apparatus requests group identification information from another apparatus, as recited in Claim 72, much less that it then inquires of a second apparatus as to participation in group communication and then based on the response informs the latter of the group identification information, as recited in Claim 72. Accordingly, Claim 72 also is deemed to be clearly allowable over *Cadd*.

Independent Claims 27 and 77 are method and program claims, respectively, corresponding to apparatus Claim 14, and independent Claims 75 and 76 are method and program claims, respectively, corresponding to apparatus Claim 72. Claims 25 and 75-77 are believed to be patentable for at least the same reasons as discussed above in connection with Claims 14 and 72, respectively.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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